

EXHIBIT 5
Part 1 of 2

SUBSEQUENT PAROLE CONSIDERATION HEARING
STATE OF CALIFORNIA
BOARD OF PAROLE HEARINGS

In the matter of the Life)
Term Parole Consideration) CDC Number C-81713
Hearing of:)
MORGAN TYSON)
_____)

SAN QUENTIN STATE PRISON

SAN QUENTIN, CALIFORNIA

JULY 25, 2006

PANEL PRESENT:

Mr. Archie Joe Biggers, Presiding Commissioner
Ms. Noreen Blonien, Deputy Commissioner

OTHERS PRESENT:

Mr. Morgan Tyson, Inmate
Mr. Charles Carbone, Attorney for Inmate
Ms. Jill Klinge, Deputy District Attorney
Mr. Nicholas Napolitan, Observer
Ms. Amy Lebens, Observer
Mr. Jessie Markham, Observer
Correctional Officers, Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

_____	No	See Review of Hearing
_____	Yes	Transcript Memorandum

Tracy Richardson

Vine, McKinnon & Hall

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P R O C E E D I N G S

DEPUTY COMMISSIONER BLONIEN: We're on record.

PRESIDING COMMISSIONER BIGGERS: Okay, this is a Subsequent Parole Consideration Hearing for Morgan Tyson, T-Y-S-O-N, CDC number C-81713. Today's date is July the 25th, 2006. We're located at San Quentin State Prison. The inmate was received on February the 29th, 1984, from Alameda County. The life term began on September the 21st, 1985, and the minimum eligible parole date was October 24th, 1994. The controlling offense for which the inmate has been committed for is Murder Second Degree. Case number is A-L-A, that's alpha, Lena, alpha, 75513. One Count, actually, it says six -- well, Count Six which is one Count. And the violation of Penal Code 187. The -- there was some additional Counts. One was Enhancement of a Firearm, which is a violation of 12022(b). The Assault with a Deadly Weapon, which is a violation of Penal Code 245(a)(1), same case number, one Count was stayed. The Attempted Robbery was a 211/664, same case number, two Counts. And the Use of a Weapon, same case number, with a violation of 12022(b). The inmate received a term of 15 years to life plus five years. And, as I said before, the minimum eligible parole date 10/24/94. Okay, now, this hearing is being tape-recorded, Mr. Tyson, and for the purpose of voice identification each of us will state our first and last name, spelling our last name. When it's your turn, after

2

1 spelling your last name, please give us your CDC number.
2 I will start and move to my left. My name is Archie Joe
3 Biggers, B-I-G-G-E-R-S, and I'm a Commissioner with the
4 Board of Parole Hearings.

5 **DEPUTY COMMISSIONER BLONIEN:** I'm Noreen Blonien, B-
6 L-O-N-I-E-N. I'm a Deputy Commissioner.

7 **DEPUTY DISTRICT ATTORNEY KLINGE:** Jill Klinge, K-L-
8 I-N-G-E, Alameda County Deputy DA.

9 **INMATE TYSON:** Oh, Morgan Tyson.

10 **PRESIDING COMMISSIONER BIGGERS:** Relax, relax.

11 **INMATE TYSON:** Yes, sir.

12 **DEPUTY COMMISSIONER BLONIEN:** Spell your last name.

13 **INMATE TYSON:** T -- excuse me.

14 **ATTORNEY CARBONE:** Take a moment. It's no problem.

15 **DEPUTY COMMISSIONER BLONIEN:** Okay.

16 **PRESIDING COMMISSIONER BIGGERS:** Okay.

17 **DEPUTY COMMISSIONER BLONIEN:** Let's go off record.

18 **PRESIDING COMMISSIONER BIGGERS:** Let's go off record
19 and take him out and let him walk around for a second.

20 **ATTORNEY CARBONE:** You want to collect yourself?

21 **INMATE TYSON:** Yeah.

22 **(Off The Record)**

23 **PRESIDING COMMISSIONER BIGGERS:** Does he have ADA --
24 ADA --

25 **DEPUTY COMMISSIONER BLONIEN:** We are back on record.

26 **PRESIDING COMMISSIONER BIGGERS:** Okay, there's an
27 ADA statement that's right there, too. You have the ADA

3

1 statement? You moved the ADA statement. Where is it?

2 You didn't bring the ADA statement back in the room?

3 **DEPUTY COMMISSIONER BLONIEN:** The -

4 **PRESIDING COMMISSIONER BIGGERS:** The ADA statement

5 that we have in the room. Did you bring it back in?

6 **MALE:** The piece of paper, the Americans with

7 Disabilities Act statement? This one here?

8 **PRESIDING COMMISSIONER BIGGERS:** Yes. Okay, why

9 don't we -- that's right. We --

10 **DEPUTY COMMISSIONER BLONIEN:** She's got -- okay.

11 We're on.

12 **PRESIDING COMMISSIONER BIGGERS:** Okay, while they

13 bring in the ADA statement back, sir, in the event that

14 you start having some problems -- here's one right here.

15 You can read from mine. There's an ADA statement in

16 front of you there. Would you please read that for the

17 Panel?

18 **ATTORNEY CARBONE:** Did you still want the inmate to

19 identify himself on record?

20 **PRESIDING COMMISSIONER BIGGERS:** Yeah. Well, yeah,

21 I'm sorry. We should go back to that. Now you can

22 identify yourself.

23 **ATTORNEY CARBONE:** Say your name.

24 **PRESIDING COMMISSIONER BIGGERS:** Say your name. Say

25 your name and give us your -

26 **ATTORNEY CARBONE:** CDC number.

27 **PRESIDING COMMISSIONER BIGGERS:** -- CDC number.

1 **INMATE TYSON:** My name is Morgan -- Morgan Tyson.
2 My name is Morgan Tyson. My last name's spelled
3 T-Y-S-O-N. My CDC number is C-81713.

4 **PRESIDING COMMISSIONER BIGGERS:** All right, thank
5 you.

6 **ATTORNEY CARBONE:** Good morning, again,
7 Commissioner. It's Charles Carbone, C-A-R-B-O-N-E. I'm
8 counsel to Mr. Tyson.

9 **PRESIDING COMMISSIONER BIGGERS:** Okay. We have
10 three observers in here today. And they're from Morrison
11 and Forester. Please state your name for the record and
12 spell your last name.

13 **MR. MAPOLIPAN:** Nicholas Napolitan, N-A-P-O-L-I-T-A-
14 N.

15 **MS. LEBENS:** Amy Lebens, L-E-B-E-N-S.

16 **MR. MARKHAM:** Jessie Markham, M-A-R-K-H-A-M.

17 **PRESIDING COMMISSIONER BIGGERS:** Thanks to all of
18 you. And for the record, note that there are two
19 correctional officers present who -- who will not be
20 participating in the hearing. They're here for security
21 purposes only. Now, before we begin there, Mr. Tyson,
22 there's an ADA statement in front of you. Would you
23 please read that out loud for us?

24 **INMATE TYSON:** Yes. "The Americans with
25 Disabilities Act, ADA, is a law to help
26 people with disabilities. Disabilities are
27 problems that make it harder for some people

5

1 to see, hear, breath, talk, walk, learn,
2 think, work, or take care of themselves than
3 it is for others. Nobody be -- excuse me,
4 nobody can be kept out of public places or
5 activities because of a disability. If you
6 have a disability you have the right to ask
7 for help to get ready for your BPT hearing,
8 get to the hearing, talk, read forms and
9 papers, and understand the hearing process.
10 BPT will look at what you ask for to make
11 sure that you have a disability that is
12 covered by the ADA and that you have asked
13 for the right kind of help. If you do not
14 get help or if you don't think you got the
15 kind of help you need ask for a BPT 1074
16 grievance form. You can also get help to
17 fill it out."

18 **PRESIDING COMMISSIONER BIGGERS:** Okay. Do you
19 understand what that means?

20 **INMATE TYSON:** Yes, sir.

21 **PRESIDING COMMISSIONER BIGGERS:** You tell me in your
22 own words what that means to you.

23 **INMATE TYSON:** If I have a learning disability or
24 speech disability or any type of disability of learning
25 or whatever I can ask for help.

26 **PRESIDING COMMISSIONER BIGGERS:** Okay. You signed a
27 1073, what's the date here, indicating that, I think,

6

1 that you had no disabilities. Is that correct?

2 INMATE TYSON: Yes, sir, I did.

3 PRESIDING COMMISSIONER BIGGERS: Okay. But you're
4 wearing glasses.

5 INMATE TYSON: Yes, well, my eyesight is
6 going.

7 PRESIDING COMMISSIONER BIGGERS: You signed this on
8 June the 23rd, 2006, indicating that there are no
9 disabilities identified in ADA, but you should also --
10 you should put down that you wear glasses so that in the
11 event you don't get a date today, the people will know if
12 you come here without your glasses on that there is a
13 problem.

14 INMATE TYSON: All right. I -- I didn't know that.

15 PRESIDING COMMISSIONER BIGGERS: All right. Just
16 making sure your rights are protected here. In addition
17 to that, too, do you have hearing impairments?

18 INMATE TYSON: No, sir. I don't have any
19 hearing -

20 PRESIDING COMMISSIONER BIGGERS: So did you have
21 those glasses on when you -- when you reviewed your C-
22 File?

23 INMATE TYSON: No, sir.

24 PRESIDING COMMISSIONER BIGGERS: You did not?

25 INMATE TYSON: No, I -- I -- I didn't review my C-
26 File.

27 PRESIDING COMMISSIONER BIGGERS: Why didn't you

1 review your C-File?

2 INMATE TYSON: I had gone over it before in --

3 PRESIDING COMMISSIONER BIGGERS: When was the last
4 time you reviewed your C-File?

5 INMATE TYSON: I can't remember.

6 PRESIDING COMMISSIONER BIGGERS: Well, the important
7 thing about that -- prior to every hearing, you should go
8 through and review your C-File. So you then know what --
9 something else could've even been added inadvertently or
10 the possibility exists that somebody sent some additional
11 information that you should be aware of.

12 INMATE TYSON: You may be right. I --

13 PRESIDING COMMISSIONER BIGGERS: Then why didn't you
14 do that?

15 INMATE TYSON: I just -- it just didn't dawn on me
16 that anyone --

17 PRESIDING COMMISSIONER BIGGERS: Didn't dawn on you?

18 INMATE TYSON: No, sir.

19 PRESIDING COMMISSIONER BIGGERS: You know, this is
20 your life we're talking about.

21 INMATE TYSON: I know.

22 PRESIDING COMMISSIONER BIGGERS: And you know you
23 want to get out of here.

24 INMATE TYSON: Yes, sir.

25 PRESIDING COMMISSIONER BIGGERS: Eventually. So --
26 but you got -- I can only make sure that your rights are
27 not violated. There's some other stuff that you got to

1 do.

2 INMATE TYSON: Yes, sir.

3 PRESIDING COMMISSIONER BIGGERS: And one of the
4 things is if you don't get a date today, you want to make
5 sure that you -- that your attorney encourages you to
6 look at your C-File. Okay?

7 INMATE TYSON: Yes, sir.

8 PRESIDING COMMISSIONER BIGGERS: All right. Let's
9 see what else now. Do you have any -- so the information
10 that you had on your 1073 is still correct?

11 INMATE TYSON: Yes, sir.

12 PRESIDING COMMISSIONER BIGGERS: With the exception
13 of the -- the glasses?

14 INMATE TYSON: Yes.

15 PRESIDING COMMISSIONER BIGGERS: Okay. You don't
16 have any hearing impairment?

17 INMATE TYSON: No, sir.

18 PRESIDING COMMISSIONER BIGGERS: Have you ever been
19 included in the Triple CMS or EOP program?

20 INMATE TYSON: No, sir.

21 PRESIDING COMMISSIONER BIGGERS: You know what those
22 are though, right?

23 INMATE TYSON: Emergency outpatient?

24 PRESIDING COMMISSIONER BIGGERS: When they ask you -
25 - have to do with mental health issues.

26 INMATE TYSON: I didn't know but I -- I do now.

27 PRESIDING COMMISSIONER BIGGERS: You do now. Okay.

1 You haven't taken any psychotropic medication?

2 INMATE TYSON: No, sir.

3 PRESIDING COMMISSIONER BIGGERS: All right. You
4 suffer from any disabilities, other than the ones that I
5 mentioned, that would prevent you from participating in
6 today's hearing?

7 INMATE TYSON: No, sir, I don't.

8 PRESIDING COMMISSIONER BIGGERS: Okay, Mr. Carbone,
9 have you -- do you feel that your client's ADA rights
10 have been met?

11 DEPUTY COMMISSIONER BLONIEN: Commissioner, we're
12 not picking up the -- the inmate well enough on the
13 recorder. You're either going to have to speak louder -

14 INMATE TYSON: Oh, all right. I'm sorry.

15 DEPUTY COMMISSIONER BLONIEN: -- or we may have to
16 turn the fan off.

17 INMATE TYSON: I'm sorry.

18 DEPUTY COMMISSIONER BLONIEN: I don't know.

19 PRESIDING COMMISSIONER BIGGERS: Well, why don't we
20 turn the fan off? Make sure we're getting it here. We
21 just have to sweat it out.

22 INMATE TYSON: I'll try -- I'll --

23 ATTORNEY CARBONE: The rest of the nation is
24 sweltering, we may as well join them.

25 PRESIDING COMMISSIONER BIGGERS: That's right and I
26 think it's more important for us to pick him up than for
27 us to be comfortable with the fan, so do the best you can

10

1 to speak up though.

2 DEPUTY COMMISSIONER BLONIEN: That -- that -- that
3 really doesn't help you.

4 INMATE TYSON: Okay.

5 PRESIDING COMMISSIONER BIGGERS: Just speak up a
6 little bit more.

7 DEPUTY COMMISSIONER BLONIEN: It's pretty much for
8 show. I -- I can tell whether you're getting picked up
9 or not by this light.

10 INMATE TYSON: All right. Is -- is that good
11 enough?

12 PRESIDING COMMISSIONER BIGGERS: Yeah, is that
13 better?

14 DEPUTY COMMISSIONER BLONIEN: Well, he has to say
15 something.

16 INMATE TYSON: Is this loud enough?

17 DEPUTY COMMISSIONER BLONIEN: Yeah.

18 INMATE TYSON: Oh, I'll just lean forward and talk
19 from now on.

20 PRESIDING COMMISSIONER BIGGERS: All right. Well,
21 we don't want you to -- well, never mind. Let's -- we'll
22 go on. We'll cut the fan off. So going back to Mr.
23 Carbone, you say you didn't have any problems with his
24 ADA rights not being met?

25 ATTORNEY CARBONE: That's correct, thank you.

26 PRESIDING COMMISSIONER BIGGERS: Okay. This hearing
27 is being conducted pursuant to Penal Code section 3041

11

1 and 3042 and -- Mr. Carbone, go ahead and loosen your tie
2 up. We'll both loosen our ties up.

3 **ATTORNEY CARBONE:** Thank you, sir.

4 **PRESIDING COMMISSIONER BIGGERS:** No problem. No
5 need for us just sweating here. Pursuant to Penal Code
6 Section 3041 and 3042 and the rules and regulations of
7 the Board of Prison Terms governing parole consideration
8 hearings for life inmates, the purpose of today's hearing
9 is to once again consider the number and the nature of
10 the crimes you were committed for, your prior criminal
11 and social history, and your behavior and programming
12 since your commitment. We've had the opportunity to
13 review your Central File and your prior transcript and
14 you will be given the opportunity to correct or clarify
15 the record. We will reach a decision today and inform
16 you whether or not we find you suitable for parole and
17 the reason for our decision. If you are found suitable
18 for parole the length of your confinement will be
19 explained to you. Nothing that happens here today will
20 change the findings of the court. This Panel is not here
21 to re-try your case. The Panel's here for the sole
22 purpose of determining your suitability for parole. You
23 understand that?

24 **INMATE TYSON:** Yes, sir.

25 **PRESIDING COMMISSIONER BIGGERS:** The hearing will be
26 conducted in two phases. I will talk to you -- discuss
27 with you the crime for which you were committed, your

1 prior criminal and social history. The Deputy
2 Commissioner will then discuss with you your post-
3 conviction factors to include your counselor's report,
4 your psychological evaluation, your parole plans and any
5 letters of support or opposition that may be in your
6 file. Once that is concluded both Commissioners, the
7 District Attorney, and your attorney will be given the
8 opportunity to ask you questions. Questions from the
9 District Attorney shall be asked through the Chair and
10 you will direct your answers to the Board. Once that is
11 concluded -- I'm sorry, the -- next, the District
12 Attorney, then your attorney and then you will be given
13 the opportunity to make a final statement regarding your
14 parole suitability. Your statement should address why
15 you feel you are suitable for parole. You understand
16 that?

17 **INMATE TYSON:** Yes, sir.

18 **PRESIDING COMMISSIONER BIGGERS:** The Panel will then
19 recess, clear the room, and deliberate. Once the
20 deliberations are complete the Panel will resume the
21 hearing and announce its decision. Now, the California
22 Code of Regulations states that regardless of time served
23 a life inmate shall be found unsuitable for and denied
24 parole if, in the judgment of the Panel, the inmate would
25 pose an unreasonable risk of danger to society if
26 released from prison. You have certain rights. Those
27 rights include the right to a timely notice of this

13

1 hearing, the right to review your C-File, which you
2 indicated to me that you had not done, but I'm going to
3 encourage you to do that --

4 **INMATE TYSON:** Yes, sir.

5 **PRESIDING COMMISSIONER BIGGERS:** -- and the right to
6 present relevant documents. I'm going Mr. Carbone does
7 he feel that your rights have been met?

8 **ATTORNEY CARBONE:** They have indeed. Thank you,
9 Commissioner.

10 **PRESIDING COMMISSIONER BIGGERS:** Okay. You have an
11 additional right to be heard by an impartial panel. Do
12 you have any objection to the Panel members?

13 **INMATE TYSON:** No, sir, I don't have any objections.

14 **PRESIDING COMMISSIONER BIGGERS:** Okay. How about
15 you?

16 **ATTORNEY CARBONE:** None whatsoever.

17 **PRESIDING COMMISSIONER BIGGERS:** Okay. I'm going to
18 ask the Deputy Commissioner if any confide --
19 confidential material will be used.

20 **DEPUTY COMMISSIONER BLONIEN:** No confidential
21 information will be used.

22 **PRESIDING COMMISSIONER BIGGERS:** Okay, thank you.
23 I'm going to pass to your attorney, as well as to the
24 District Attorney, what I'm going to mark as Exhibit 1
25 and make sure that we're all operating off the same set
26 of documents.

27 **ATTORNEY CARBONE:** So stipulated, Commissioner. We

14

1 do, in fact, have received all these documents and had an
2 opportunity to review them. Thank you.

3 **PRESIDING COMMISSIONER BIGGERS:** Thank you.

4 **DEPUTY DISTRICT ATTORNEY KLINGE:** I've received all
5 these documents. I would also note that Board report and
6 psych reports are not checked, but I did receive those
7 this morning.

8 **PRESIDING COMMISSIONER BIGGERS:** All right, thank
9 you very much. Okay, are there any additional documents
10 to be submitted?

11 **ATTORNEY CARBONE:** You did, in fact, receive our
12 parole supplemental packet, did you not, Commissioner?

13 **PRESIDING COMMISSIONER BIGGERS:** It may be in that
14 package right there. I know the District Attorney got
15 one.

16 **ATTORNEY CARBONE:** I have an additional copy here.

17 **PRESIDING COMMISSIONER BIGGERS:** Okay. Why don't
18 you do that and we'll -- we'll go through that at the
19 appropriate time.

20 **ATTORNEY CARBONE:** And then we have one final
21 document which is an indication of the inmate's parole
22 plans, which I'll provide two copies to the Commissioners
23 and one copy to the District Attorney.

24 **PRESIDING COMMISSIONER BIGGERS:** Okay.

25 **DEPUTY COMMISSIONER BLONIEN:** Thank you, Counsel.

26 **PRESIDING COMMISSIONER BIGGERS:** Thank you very
27 much.

1 **ATTORNEY CARBONE:** Thank you, Commissioner. Are
2 there any additions?

3 **ATTORNEY CARBONE:** That's all, thank you.

4 **PRESIDING COMMISSIONER BIGGERS:** Okay, thank you.
5 Are there any preliminary objections?

6 **ATTORNEY CARBONE:** None whatsoever.

7 **PRESIDING COMMISSIONER BIGGERS:** Okay. Will the
8 inmate be speaking to the Panel?

9 **ATTORNEY CARBONE:** He will in all respects,
10 Commissioner.

11 **PRESIDING COMMISSIONER BIGGERS:** Okay, please raise
12 your right hand there, Mr. Tyson. Do you solemnly swear
13 or affirm that the testimony you give at this hearing
14 will be the truth and nothing but the truth?

15 **INMATE TYSON:** Yes, sir, I do.

16 **PRESIDING COMMISSIONER BIGGERS:** Okay. I'm going to
17 read the summary of the offense. I know there were
18 multiple victims, but I'm just going to read the
19 commitment offense summary.

20 "On July 10th, 1982, at approximately 3:30
21 a.m., Sharon King, that's K-I-N-G, who was
22 spending the night at the apartment of Gail
23 Williams, W-I-L-L-I-A-M-S, the victim, woke
24 up as the victim entered the apartment. Ms.
25 King referred the victim was fully clothed
26 and was bleeding, called for ambulance, and
27 helped her friend get to the sofa to sit

1 down, and asked what happened. Ms. Wilson
2 told -- Ms. Williams told her that a person
3 whom she did not know had stabbed her. Ms.
4 Williams described her assailant as a light-
5 skinned black man with a beard. Ms. -- Ms.
6 Williams was transported to the hospital
7 where she died the next morning. Died the
8 same morning, excuse me. On July the 13th,
9 1982, the Oakland Police Department received
10 a phone call from an anonymous informant who
11 indicated that -- that the inmate was
12 responsible for the recent attack of women
13 in the Highland Hospital area. The inmate
14 was arrested in National City on July the
15 27th. He was subsequently charged and
16 convicted for the incident offense."

17 Pretty much, Mr. -

18 **DEPUTY COMMISSIONER BLONIEN:** Commissioner, I'm
19 sorry to interrupt. I would just point out on page 2 of
20 the Board report, there were additional --

21 **PRESIDING COMMISSIONER BIGGERS:** Right. There were
22 some -- but I'm going to deal with the -- the commitment
23 offense first and then I'll go into the multiple victims
24 after that. You indicated in your version that you're
25 very sorry for what you did, but everything that in -- in
26 the trial transcript is considered fact --

27 **INMATE TYSON:** Yes, sir.

17

1 **PRESIDING COMMISSIONER BIGGERS:** -- so, in other
2 words, you're telling me that the commitment offense is,
3 in fact, correct?

4 **INMATE TYSON:** Yes, sir. The commitment effect,
5 excuse me, the committing -

6 **PRESIDING COMMISSIONER BIGGERS:** Offense.

7 **INMATE TYSON:** -- offense is -- is a fact, but I
8 never really elaborated on it because I really was
9 disappointed in myself for what I had done.

10 **PRESIDING COMMISSIONER BIGGERS:** Okay, then you need
11 to tell me why got involved with this first situation and
12 then we'll go into the multiples after that.

13 **INMATE TYSON:** Yes, sir.

14 **PRESIDING COMMISSIONER BIGGERS:** Tell me what
15 happened.

16 **INMATE TYSON:** Let me begin at the beginning,
17 Commissioner. When I got out of prison -- I had went to
18 prison in Georgia.

19 **PRESIDING COMMISSIONER BIGGERS:** In Georgia State
20 Prison for three years.

21 **INMATE TYSON:** Yes, sir.

22 **PRESIDING COMMISSIONER BIGGERS:** I'm aware of that.
23 We'll talk about that later.

24 **INMATE TYSON:** Oh, okay. Well, when I had gotten
25 out -- when I was released from prison, I had an
26 attitude. I figured that the world owed me something. I
27 had went to jail. I had never really amounted to much in

1 my life. My parents were very good parents and they
2 raised me the right way. It's just that I refused to --
3 to do what was right.

4 **PRESIDING COMMISSIONER BIGGERS:** Uh-huh.

5 **INMATE TYSON:** And I wanted to fit in in a world in
6 -- in the criminal world because those people accepted me
7 more and I had been rejected a lot in my life and I
8 didn't understand why. And rejection was one of the main
9 reasons that I committed these crimes. It's like when
10 you go to school and your peers don't like you -

11 **PRESIDING COMMISSIONER BIGGERS:** Uh-huh.

12 **INMATE TYSON:** -- and you just say well, you know,
13 the heck with it and I'll just do what I want to do. So
14 after I had got out of prison, I -- I did have good
15 intentions for when I did come to California. I did want
16 to change my life around and it just so happened that I
17 did -- when I got out here, all I ran into were a lot of
18 -- lot more obstacles, a lot more rejection, no
19 employment. But I didn't have any skills to get any
20 employment. If I -- if I had taken the time to learn a
21 trade when I was in prison, I would've come -

22 **PRESIDING COMMISSIONER BIGGERS:** How'd you pick the
23 victim, being there.

24 **INMATE TYSON:** Let me tell you how I picked my
25 victims out, Commissioner.

26 **PRESIDING COMMISSIONER BIGGERS:** I'm talking about
27 the one right now.

1 INMATE TYSON: I'll just give Ms. Williams. Are you
2 talking -

3 PRESIDING COMMISSIONER BIGGERS: Ms. Williams.

4 INMATE TYSON: All right. I picked my victim
5 because she was a woman and she was more -- she was
6 vulnerable. And a woman, I felt, was less resistant than
7 a man.

8 PRESIDING COMMISSIONER BIGGERS: Okay.

9 INMATE TYSON: But the -

10 PRESIDING COMMISSIONER BIGGERS: How did you
11 determine -- what -- what are the factors that led up to
12 you attacking Ms. Williams? Was she walking --

13 INMATE TYSON: Being rejected.

14 PRESIDING COMMISSIONER BIGGERS: -- the first time
15 you saw her?

16 INMATE TYSON: Yes -- yes, sir, I did.

17 PRESIDING COMMISSIONER BIGGERS: Okay.

18 INMATE TYSON: Let -- let me finish, Commissioner,
19 please.

20 PRESIDING COMMISSIONER BIGGERS: Well, I don't want
21 you to go --

22 INMATE TYSON: I -- I'm not.

23 PRESIDING COMMISSIONER BIGGERS: -- you know, down
24 the center-field lane. I want you to --

25 INMATE TYSON: I was.

26 ATTORNEY CARBONE: I think the Commissioner wants
27 you to deal with the -- the basic facts first.

1 **PRESIDING COMMISSIONER BIGGERS:** Basic facts before
2 we go on. We'll get -- we'll let you get a chance to --

3 **INMATE TYSON:** All right.

4 **PRESIDING COMMISSIONER BIGGERS:** -- say your spiel,
5 but I want to know the facts that led you to do what you
6 did to Ms. Williams.

7 **INMATE TYSON:** She was a woman and she was -- well,
8 not because she was a woman, but she was vulnerable and I
9 felt that she was --

10 **PRESIDING COMMISSIONER BIGGERS:** And how was she
11 vulnerable?

12 **INMATE TYSON:** Because she was a female.

13 **PRESIDING COMMISSIONER BIGGERS:** Yeah, but how did
14 you determine that, you know, some women --

15 **INMATE TYSON:** Well, she was by herself.

16 **PRESIDING COMMISSIONER BIGGERS:** Okay, that's --
17 that's --

18 **INMATE TYSON:** She was by her --

19 **PRESIDING COMMISSIONER BIGGERS:** Some women, though,
20 by themselves can handle a guy like you.

21 **INMATE TYSON:** Yes, sir.

22 **PRESIDING COMMISSIONER BIGGERS:** Okay, so there had
23 to be another reason as to why you picked her. Okay,
24 we'll say that she was by herself. Was she walking in an
25 area where --

26 **INMATE TYSON:** Yes, she was. She was walking along
27 the street by an apartment complex.

1 **PRESIDING COMMISSIONER BIGGERS:** Okay, was it dark?

2 Was it --

3 **INMATE TYSON:** It was lit.

4 **PRESIDING COMMISSIONER BIGGERS:** Okay.

5 **INMATE TYSON:** It was lit. It was in the dark --

6 **PRESIDING COMMISSIONER BIGGERS:** All right. Now,
7 tell me what happened after that. You -- you said okay,
8 this is the one I'm go after. Now, tell me what
9 happened.

10 **INMATE TYSON:** I walked up to Ms. Williams and I
11 asked her if I could speak with her and she said no.
12 Something like, you know, get away from me or something.
13 And -- and I felt like I was being rejected again in my
14 life.

15 **PRESIDING COMMISSIONER BIGGERS:** Okay.

16 **INMATE TYSON:** So I grabbed Ms.- Ms. Williams and
17 with the knife I -- I stabbed her three times.

18 **PRESIDING COMMISSIONER BIGGERS:** Okay. And then
19 what happened after you stabbed her?

20 **INMATE TYSON:** I started running. I -- I took off
21 running and I ran home.

22 **PRESIDING COMMISSIONER BIGGERS:** Okay. And then
23 after that you -- you committed the other crime. Is that
24 the --

25 **INMATE TYSON:** Yes, sir, I did. I committed the
26 other crimes also.

27 **PRESIDING COMMISSIONER BIGGERS:** Okay. Let's start

1 with the use of a deadly weapon in Count Two where the
2 victim was Janet Charles. And how long ago -- how long
3 ago did that particular attempted robbery go after you
4 stabbed the victim?

5 **INMATE TYSON:** It didn't go well because Ms.
6 Charles --

7 **PRESIDING COMMISSIONER BIGGERS:** How long?

8 **DEPUTY DISTRICT ATTORNEY KLINGE:** Actually --

9 **INMATE:** Excuse me, all --

10 **ATTORNEY CARBONE:** This was before. All the
11 others --

12 **PRESIDING COMMISSIONER BIGGERS:** This was before
13 then?

14 **INMATE TYSON:** Yes, sir.

15 **PRESIDING COMMISSIONER BIGGERS:** All the other ones
16 were prior to this?

17 **INMATE TYSON:** Yes, they were.

18 **PRESIDING COMMISSIONER BIGGERS:** Thank you. Where's
19 my head today here? Now, for the record, let's just say
20 that we're going to -- we have multiple victims. One is
21 attempted robbery with the use of a deadly weapon and the
22 victim was Janet Charles. The other one was assault with
23 a deadly weapon and that victim was also Janet Charles.
24 And there was another robbery, a PC-211, the use of a
25 deadly weapon and that victim was Tina Marie Boston.
26 Another robbery, 211, with use of a deadly weapon, the
27 victim was Karen Kline, K-L-I-N-E. And assault with a

1 deadly weapon on Karen Kline. And these were all women.

2 INMATE TYSON: Yes, sir, they were all women.

3 PRESIDING COMMISSIONER BIGGERS: So you had a
4 problem with women?

5 INMATE TYSON: Yes, sir, I had a problem with women.

6 PRESIDING COMMISSIONER BIGGERS: Okay. What do you
7 feel was the underlying causes of you having a problem
8 with women?

9 INMATE TYSON: I think it was rejection my whole
10 life.

11 PRESIDING COMMISSIONER BIGGERS: But you know a lot
12 of us get rejected.

13 INMATE TYSON: Yes, sir.

14 PRESIDING COMMISSIONER BIGGERS: Okay. But we
15 handled it differently.

16 INMATE TYSON: Yes.

17 PRESIDING COMMISSIONER BIGGERS: We don't go around
18 stabbing and robbing women just because we got rejected.

19 INMATE TYSON: No, sir, we don't.

20 PRESIDING COMMISSIONER BIGGERS: Well, then have you
21 ever considered looking at other causative factors as to
22 why you may have this resentment toward women?

23 INMATE TYSON: At the time I didn't, Commissioner.

24 PRESIDING COMMISSIONER BIGGERS: Okay.

25 INMATE TYSON: But now it's -- it's a -- I see it's
26 a lot different.

27 PRESIDING COMMISSIONER BIGGERS: It appears that

1 each time that you did this, one of these offenses, the -
2 - the woman was always by herself. Is that correct?

3 **INMATE TYSON:** Yes, sir. They were.

4 **PRESIDING COMMISSIONER BIGGERS:** You would always --
5 you asked one lady for a cigarette and she refused your
6 request. Then another one was jogging. She had her
7 seven-year-old niece with her, didn't she?

8 **INMATE TYSON:** Yes, sir.

9 **PRESIDING COMMISSIONER BIGGERS:** They'd been out
10 skating and were walking back to their apartment when you
11 jogged -- a man jogged from them behind. And you jumped
12 out of the bushes and struck her in the face.

13 **INMATE TYSON:** Yes, sir, I did.

14 **PRESIDING COMMISSIONER BIGGERS:** What was your
15 intention? Other than -

16 **INMATE TYSON:** To rob her.

17 **PRESIDING COMMISSIONER BIGGERS:** Rob her.

18 **INMATE TYSON:** My -- my intention was to rob her.

19 **PRESIDING COMMISSIONER BIGGERS:** And you hit her?

20 **INMATE TYSON:** Yes.

21 **PRESIDING COMMISSIONER BIGGERS:** Okay, then there
22 was a nurse, Ms. Karen Kline. And, again, they were
23 walking the streets by themselves. And you knocked her
24 to the ground.

25 **INMATE TYSON:** Yes, sir, I did.

26 **PRESIDING COMMISSIONER BIGGERS:** "Don't scream or
27 I'll kill you." There's got to be some factors that make

1 you do this. This type of stuff, you know.

2 **INMATE TYSON:** Yes. I said those things because I
3 thought that it would scare them and make them, you know,
4 do what I wanted them to do.

5 **PRESIDING COMMISSIONER BIGGERS:** And that was just
6 strictly to rob them?

7 **INMATE TYSON:** Yes, sir.

8 **PRESIDING COMMISSIONER BIGGERS:** Well, you had a
9 rape charge back there in Georgia.

10 **INMATE TYSON:** Yes, I did.

11 **PRESIDING COMMISSIONER BIGGERS:** Okay, was your
12 intention to sexually molest them in any way?

13 **INMATE TYSON:** No, sir; it wasn't at the time, but I
14 -- my intentions was to rob a liquor store and I had
15 never robbed anybody before in my life and she had come
16 along -- I had met her --

17 **PRESIDING COMMISSIONER BIGGERS:** There are four
18 though.

19 **INMATE TYSON:** -- a while -- excuse me, sir?

20 **PRESIDING COMMISSIONER BIGGERS:** Three women.
21 One, Janet Charles --

22 **INMATE TYSON:** Yes, you're talk --

23 **PRESIDING COMMISSIONER BIGGERS:** -- Tina Marie
24 Boston, Karen Kline, actually, four women.

25 **INMATE TYSON:** Yes, but you're talking about the one
26 in Georgia, right?

27 **PRESIDING COMMISSIONER BIGGERS:** Well, no, I

1 just --

2 INMATE TYSON: Oh, okay.

3 PRESIDING COMMISSIONER BIGGERS: -- brought that up
4 as an arrest report.

5 INMATE TYSON: Oh, I'm sorry. I thought you were
6 talking --

7 PRESIDING COMMISSIONER BIGGERS: There were four
8 women involved here in crimes in California.

9 INMATE TYSON: Yes.

10 PRESIDING COMMISSIONER BIGGERS: They were all
11 walking by themselves.

12 INMATE TYSON: Yes, sir.

13 PRESIDING COMMISSIONER BIGGERS: With the exception
14 of that one lady who had her seven-year-old niece with
15 her.

16 INMATE TYSON: Yes.

17 PRESIDING COMMISSIONER BIGGERS: Okay. My question
18 to you was if you were just there to -- to rob them, you
19 know, one would surmise since you had a rape charge in
20 Georgia -

21 INMATE TYSON: Yes.

22 PRESIDING COMMISSIONER BIGGERS: -- that you
23 could've had intentions to do something else. And that's
24 what I was asking you about. Was this strictly for
25 robbery or -- or was it to get involved with them in any
26 other manner other than -

27 INMATE TYSON: Oh, no, I wasn't trying to get

1 involved with them. I didn't -- no, that wasn't it. My
2 intentions were to rob them.

3 **PRESIDING COMMISSIONER BIGGERS:** Okay. And -- but
4 was it necessary to use -- for you to knock them down as
5 a way of robbing them?

6 **INMATE TYSON:** Well, now that I see it wasn't
7 necessary, but I did. I thought it was necessary at the
8 time.

9 **PRESIDING COMMISSIONER BIGGERS:** Okay. Is there
10 anything else you want to tell me about these crimes, I
11 mean, this is subsequent hearing number five, so it's
12 pretty well-documented about the crime.

13 **INMATE TYSON:** Yes.

14 **PRESIDING COMMISSIONER BIGGERS:** We're not here to
15 re-try your case so is there anything that you want to
16 put on the record about the crimes that has not been
17 discussed in previous cases or something that I may have
18 left out?

19 **INMATE TYSON:** Yes, sir. I -- I did commit these
20 crimes.

21 **PRESIDING COMMISSIONER BIGGERS:** Oh, I understand
22 that.

23 **INMATE TYSON:** And I committed a number of crimes
24 against women and I know it looks like I have a problem
25 with women, that I hate women, but I don't. I love my
26 mother and I have two sisters, I have three daughters. I
27 love them all the same.

1 **PRESIDING COMMISSIONER BIGGERS:** Well, we're going
2 to get into your social history. Right now I'm only
3 concerned about the crime. Is there anything in the
4 crime or crimes that I have -- that I failed to mention
5 or has not been mentioned before that is not in the
6 record?

7 **INMATE TYSON:** No, sir.

8 **PRESIDING COMMISSIONER BIGGERS:** Okay. You have any
9 questions there, Deputy Commissioner?

10 **DEPUTY COMMISSIONER BLONIEN:** Well, the
11 Commissioner's asked you the question four different ways
12 about the insight that you have.

13 **INMATE TYSON:** Yes, ma'am.

14 **DEPUTY COMMISSIONER BLONIEN:** And I -- and I am
15 going to talk to you about your psych report, but in
16 reading your psych report, you said that you went after
17 these women because you wanted someone to talk to. Your
18 psych report was only five days ago.

19 **INMATE TYSON:** No -- yes, it was. It was about five
20 days ago.

21 **DEPUTY COMMISSIONER BLONIEN:** So --

22 **INMATE TYSON:** Well, I --

23 **DEPUTY COMMISSIONER BLONIEN:** -- I don't know if
24 you've thought this through or not -

25 **INMATE TYSON:** I told her the same thing.

26 **DEPUTY COMMISSIONER BLONIEN:** But she didn't write
27 down the same thing.

1 **INMATE TYSON:** I -- I explained it to her the same
2 way I'm explaining it to you. I -- I have no idea how
3 she got that idea.

4 **DEPUTY COMMISSIONER BLONIEN:** We'll talk about it
5 more but I just wanted to remind you --

6 **INMATE TYSON:** Yes, ma'am.

7 **DEPUTY COMMISSIONER BLONIEN:** -- five days ago
8 there's a whole document.

9 **INMATE TYSON:** Yes, ma'am.

10 **PRESIDING COMMISSIONER BIGGERS:** All right, now,
11 going into your social history. You were born in
12 Virginia in '51 to Morgan and Bernelle Tyson?

13 **INMATE TYSON:** Yes, sir, I was.

14 **PRESIDING COMMISSIONER BIGGERS:** And your father was
15 serving in the military. What branch?

16 **INMATE TYSON:** In the Army.

17 **PRESIDING COMMISSIONER BIGGERS:** In the Army. Was
18 he stationed at Port Bellbar (phonetic)?

19 **INMATE TYSON:** Yes, sir, he was.

20 **PRESIDING COMMISSIONER BIGGERS:** Okay. After several
21 years in Germany with your parents you returned to the
22 States where you resided in Columbus, Georgia for seven
23 years until your parents separated?

24 **INMATE TYSON:** Yes, I did.

25 **PRESIDING COMMISSIONER BIGGERS:** And your father re
26 -- remained in Georgia and your mother moved to Oakland
27 in '77?

30

1 INMATE TYSON: Yes, sir. I -- I think it was '74
2 that she moved out here.

3 PRESIDING COMMISSIONER BIGGERS: Okay.

4 INMATE TYSON: But she did move to California, yes,
5 she did.

6 PRESIDING COMMISSIONER BIGGERS: And then she moved
7 -- and -- and she started to reside in Oakland in '77?
8 Somewhere in there.

9 INMATE TYSON: I don't -- somewhere near there. I
10 don't know exactly.

11 PRESIDING COMMISSIONER BIGGERS: Okay. And you feel
12 that your father was supporting your mother in -- at some
13 point. Is that what you were saying?

14 INMATE TYSON: Yes, he did.

15 PRESIDING COMMISSIONER BIGGERS: Okay. So you had
16 two brothers?

17 INMATE TYSON: Excuse me?

18 PRESIDING COMMISSIONER BIGGERS: You had two
19 brothers?

20 INMATE TYSON: I have three brothers.

21 PRESIDING COMMISSIONER BIGGERS: Three brothers.

22 INMATE TYSON: Yes, sir.

23 PRESIDING COMMISSIONER BIGGERS: Okay, and were they
24 by your mother and father?

25 INMATE TYSON: Yes, sir. All -- all my brothers and
26 sisters. Well, except for my sister. She was --

27 PRESIDING COMMISSIONER BIGGERS: Okay.

31

1 INMATE TYSON: -- born out of wedlock.

2 PRESIDING COMMISSIONER BIGGERS: Okay, so you have
3 two brothers -- two brothers --

4 INMATE TYSON: Three.

5 PRESIDING COMMISSIONER BIGGERS: Three brothers.

6 INMATE TYSON: Three brothers and one sister --

7 PRESIDING COMMISSIONER BIGGERS: And are they older
8 or younger?

9 INMATE TYSON: They're younger than me.

10 PRESIDING COMMISSIONER BIGGERS: Okay.

11 INMATE TYSON: They're not -- I'm -- I'm the oldest.

12 PRESIDING COMMISSIONER BIGGERS: Okay, so, you know,
13 they looked up to you, did they not?

14 INMATE TYSON: Yes, sir, they did.

15 PRESIDING COMMISSIONER BIGGERS: Okay. Now, two of
16 your brothers, one is in San Diego in the United States
17 Navy, and one resides in Oakland. And he's a Merchant
18 Marine?

19 INMATE TYSON: Let me clarify that, Commissioner. My
20 brother, he's no longer in the service -- my -- my
21 brother is no longer in the service. He lives in
22 Chicago. He's a policeman in Chicago.

23 PRESIDING COMMISSIONER BIGGERS: Okay.

24 INMATE TYSON: My brother doesn't live in Oakland
25 any more. He lives in Modesto. He works with the
26 Department of Transportation.

27 PRESIDING COMMISSIONER BIGGERS: Okay.

1 **INMATE TYSON:** And I also have a brother that lives
2 in Atlanta. He works with Georgia Pacific Power Company.

3 **PRESIDING COMMISSIONER BIGGERS:** Okay. And what
4 does your sister do?

5 **INMATE TYSON:** My sister, she works for an insurance
6 company in Detroit. And I also have a sister in Oakland.
7 She works for -- she works for a hospital that take care
8 of the elderly.

9 **PRESIDING COMMISSIONER BIGGERS:** Oh, like hospice?

10 **INMATE TYSON:** I don't even know. What is a
11 hospice?

12 **PRESIDING COMMISSIONER BIGGERS:** That's where -

13 **ATTORNEY CARBONE:** That -- that -- that very thing
14 that you just described.

15 **INMATE TYSON:** Oh, okay. That's what she works for.

16 **PRESIDING COMMISSIONER BIGGERS:** Similar to that
17 where they go out and they work with people.

18 **INMATE TYSON:** Oh, no, she works in sort of a
19 hospital for the eld -

20 **PRESIDING COMMISSIONER BIGGERS:** Well, there's --
21 there's --

22 **INMATE TYSON:** I don't know what it is.

23 **PRESIDING COMMISSIONER BIGGERS:** Okay.

24 **INMATE TYSON:** It's just elderly.

25 **PRESIDING COMMISSIONER BIGGERS:** So you had two
26 sisters out of wedlock.

27 **INMATE TYSON:** No. No, sir.

1 PRESIDING COMMISSIONER BIGGERS: One?

2 INMATE TYSON: I have one sister out of wedlock.

3 PRESIDING COMMISSIONER BIGGERS: Okay.

4 INMATE TYSON: And all the rest of my brothers and
5 sisters were --

6 PRESIDING COMMISSIONER BIGGERS: From your --

7 INMATE TYSON: -- from my father and mother.

8 PRESIDING COMMISSIONER BIGGERS: Okay.

9 INMATE TYSON: Yes, sir.

10 PRESIDING COMMISSIONER BIGGERS: Now, since you've
11 had all these other siblings and none of them ever been
12 in the -- have they ever been involved with police
13 contact?

14 INMATE TYSON: No, well, my sister, she --

15 PRESIDING COMMISSIONER BIGGERS: Which one now?

16 INMATE TYSON: My oldest sister. She's younger than
17 me but she's my oldest sister..

18 PRESIDING COMMISSIONER BIGGERS: I understand.

19 INMATE TYSON: She was. Well --

20 PRESIDING COMMISSIONER BIGGERS: And what did she
21 get involved with?

22 INMATE TYSON: She just refused to do what my mother
23 said and she -- my mother had her committed to a -- what
24 do you call it? A place in Millersville, down in
25 Millersville, Georgia. Sort of like a crazy house.

26 PRESIDING COMMISSIONER BIGGERS: A camp?

27 INMATE TYSON: Yeah, something like that. I don't

1 know.

2 **PRESIDING COMMISSIONER BIGGERS:** Crazy, what do you
3 mean? She had -- did she have mental health issues?

4 **INMATE TYSON:** Mental. I guess a mental -- mental
5 institution.

6 **PRESIDING COMMISSIONER BIGGERS:** Mental health
7 issues.

8 **INMATE TYSON:** Mental hosp -- yeah, mental hospital.
9 Yeah.

10 **PRESIDING COMMISSIONER BIGGERS:** Would you consider
11 your -- your -- your mother strict?

12 **INMATE TYSON:** Yes, sir, I -- she is strict. I
13 mean, as far as I -- as I know, yes, she is. Not as
14 strict as my father. She's --

15 **PRESIDING COMMISSIONER BIGGERS:** So in other words,
16 you came from a --

17 **INMATE TYSON:** -- was more understanding.

18 **PRESIDING COMMISSIONER BIGGERS:** -- strict -- strict
19 family situation, is what I'm getting at?

20 **INMATE TYSON:** Yes, I did.

21 **PRESIDING COMMISSIONER BIGGERS:** Okay.

22 **INMATE TYSON:** Very strict.

23 **PRESIDING COMMISSIONER BIGGERS:** All right, let's --
24 let's move on. You -- you attended elementary school in
25 Germany and -- and you went through -- you attended
26 Carver High School in Columbus, Georgia, but you
27 terminated in the 11th grade to get married?

1 INMATE TYSON: Yes, sir, I did.

2 PRESIDING COMMISSIONER BIGGERS: Okay. So what
3 happened to your wife?

4 INMATE TYSON: My wife and I, we divorced. That was

5 --

6 PRESIDING COMMISSIONER BIGGERS: When did you get
7 married?

8 INMATE TYSON: In 1970. April 28th, 1970.

9 PRESIDING COMMISSIONER BIGGERS: Okay, and when'd
10 you get divorced?

11 INMATE TYSON: It was 19 --

12 PRESIDING COMMISSIONER BIGGERS: Because it's not
13 clear here in the record.

14 INMATE TYSON: In 1970 -- no, I think it was 1980.
15 Somewhere around there.

16 PRESIDING COMMISSIONER BIGGERS: Okay.

17 INMATE TYSON: I don't remember the exact date.

18 PRESIDING COMMISSIONER BIGGERS: Well, approximately
19 ten years you were married to her, is that right?

20 INMATE TYSON: Yes, but we were -- we had been
21 separated for a number of years.

22 PRESIDING COMMISSIONER BIGGERS: Separated -- okay.
23 And her name was Beverly Norris.

24 INMATE TYSON: Yes, sir.

25 PRESIDING COMMISSIONER BIGGERS: N-O-R-R-I-S. And
26 she was 19. How old were you when you got married to
27 her?

1 INMATE TYSON: I was 18.

2 PRESIDING COMMISSIONER BIGGERS: Eighteen. And you
3 had two daughters by her?

4 INMATE TYSON: Yes.

5 PRESIDING COMMISSIONER BIGGERS: Okay. And what are
6 the daughters doing now?

7 INMATE TYSON: My daughters are -- one lives in
8 Malibu. The other one lives in Oregon.

9 PRESIDING COMMISSIONER BIGGERS: Do they come visit
10 you?

11 INMATE TYSON: My oldest daughter does.

12 PRESIDING COMMISSIONER BIGGERS: She does.

13 INMATE TYSON: She has and -- but my youngest
14 daughter, she hasn't come to visit me. She's -- she's --
15 she's just been having, you know, financial problems.

16 PRESIDING COMMISSIONER BIGGERS: Okay.

17 INMATE TYSON: But I do hear from them every now and
18 then.

19 PRESIDING COMMISSIONER BIGGERS: Every now and then.
20 Okay. It says here you listed the divorce in 1974.

21 INMATE TYSON: Well, that's -- that's when we
22 separated. That's what I meant to say.

23 PRESIDING COMMISSIONER BIGGERS: Okay.

24 INMATE TYSON: We separated in '74 but we didn't get
25 divorced until --

26 PRESIDING COMMISSIONER BIGGERS: In 1980.

27 INMATE TYSON: -- somewhere in 1980. I was in

1 prison then at the time.

2 PRESIDING COMMISSIONER BIGGERS: Okay. You were
3 also in the Navy?

4 INMATE TYSON: Yes, sir, I was.

5 PRESIDING COMMISSIONER BIGGERS: You joined for a
6 two-year stint. So you were discharged 1971 from -- you
7 were stationed in Philadelphia?

8 INMATE TYSON: Yes, I was. That's where my last
9 duty station was. I was stationed there.

10 PRESIDING COMMISSIONER BIGGERS: And you got out
11 under honorable conditions, too.

12 INMATE TYSON: Yes, sir.

13 PRESIDING COMMISSIONER BIGGERS: Right?

14 INMATE TYSON: I did.

15 PRESIDING COMMISSIONER BIGGERS: And you were in
16 England for a year and you were a Boatswain's mate?

17 INMATE TYSON: Yes, sir.

18 PRESIDING COMMISSIONER BIGGERS: And -- and a
19 welder.

20 INMATE TYSON: Yes.

21 PRESIDING COMMISSIONER BIGGERS: Okay. And it says
22 here you denied the use intoxicants. You used a variety
23 of narcotics and then your (inaudible) did not want to
24 list them. Why?

25 INMATE TYSON: Well, at the time they just made me
26 feel good. But I didn't know that they would do this to
27 me.

1 **PRESIDING COMMISSIONER BIGGERS:** Okay. And as I see
2 here, we talked about that earlier, you were committed to
3 the Georgia State Prison on March 20th, 1978, on a rape
4 and auto-entering charges.

5 **INMATE TYSON:** Yes, sir, I was.

6 **PRESIDING COMMISSIONER BIGGERS:** With sentence to
7 run concurrently with the auto charge -- charge carrying
8 a three year sentence and the rape charge an eight year
9 sentence. Who was the young lady that you raped?

10 **INMATE TYSON:** Her name was Robin -- Robin
11 Davenport, I think.

12 **PRESIDING COMMISSIONER BIGGERS:** How old was she?

13 **INMATE TYSON:** I don't -- I don't know how old she
14 was.

15 **PRESIDING COMMISSIONER BIGGERS:** Okay. You -- did
16 it ever occur to you that with all this stuff going and
17 the support and the family that you had that you probably
18 should've tried to live a clean life?

19 **INMATE TYSON:** Yes, sir, it has occurred to me.

20 **PRESIDING COMMISSIONER BIGGERS:** After the fact.
21 Prior to?

22 **INMATE TYSON:** Yes, sir.

23 **PRESIDING COMMISSIONER BIGGERS:** Okay. Because,
24 again, you were released and got out of prison that you -
25 - what kind of work did you try to do when you got out to
26 California out of prison?

27 **INMATE TYSON:** After I got out of prison I just

1 searched for any type of work. Any type of labor job or
2 whatever there was that I could be hired at.

3 **PRESIDING COMMISSIONER BIGGERS:** Did you ever go to
4 the Veteran's Administration or go to any veteran's
5 groups to seek assistance?

6 **INMATE TYSON:** No, sir, I didn't.

7 **PRESIDING COMMISSIONER BIGGERS:** Why not?

8 **INMATE TYSON:** I didn't think about it.

9 **PRESIDING COMMISSIONER BIGGERS:** Okay. You
10 honorably served. You know that you had all this
11 available to you?

12 **INMATE TYSON:** Yes and no, but, like I said, I
13 didn't really, you know, think about those -- those
14 options.

15 **PRESIDING COMMISSIONER BIGGERS:** Only because at the
16 time you just didn't like a structured environment,
17 basically, is what you're telling me. Is that correct?

18 **INMATE TYSON:** True. I didn't.

19 **PRESIDING COMMISSIONER BIGGERS:** Okay. All right,
20 let's go -- I'm going to look at your priors. As a
21 juvenile you had naught on record.

22 **INMATE TYSON:** None, sir.

23 **PRESIDING COMMISSIONER BIGGERS:** And then -- so your
24 only offense prior -- only couple of -- of offenses prior
25 to this offense was a -- the auto and rape conviction.
26 Is that correct? In '78?

27 **INMATE TYSON:** Yes, it was.

40

1 **PRESIDING COMMISSIONER BIGGERS:** And then -

2 **INMATE TYSON:** I --

3 **PRESIDING COMMISSIONER BIGGERS:** -- in '82 in San
4 Diego, what happened there in '82? Was this -- '82 I'm
5 reading something here that -- booked on -- you were
6 booked on July the 30th -- it had here a warrant in San
7 Diego, California. Were you down in San Diego?

8 **INMATE TYSON:** Yes, that's -- I was there --

9 **PRESIDING COMMISSIONER BIGGERS:** When they --

10 **INMATE TYSON:** That's when they arrested me.

11 **PRESIDING COMMISSIONER BIGGERS:** -- arrested you for
12 the warrant.

13 **INMATE TYSON:** For the warrant up here in Oakland.

14 **PRESIDING COMMISSIONER BIGGERS:** Okay. How'd you
15 get to San Diego from Oakland?

16 **INMATE TYSON:** I caught the bus.

17 **PRESIDING COMMISSIONER BIGGERS:** You caught the bus.
18 So after you did all these crimes you wanted to get away?

19 **INMATE TYSON:** Yes, sir, I did. I wanted to get
20 away.

21 **PRESIDING COMMISSIONER BIGGERS:** And -- so they
22 tracked you down to San Diego.

23 **INMATE TYSON:** Yes, sir, they did.

24 **PRESIDING COMMISSIONER BIGGERS:** Okay. Okay. And I
25 see here also, and this was dropped, and the only reason
26 I'm bringing it up cause the case was in fact dismissed,
27 but they had an escape charge that was pending at one

1 time.

2 INMATE TYSON: Yes, sir.

3 PRESIDING COMMISSIONER BIGGERS: What happened
4 there?

5 INMATE TYSON: I was in the county jail and -- in
6 Oakland and at the time, they had some people in there
7 that were trying to escape. I just happened to be in the
8 same cell block they were in.

9 PRESIDING COMMISSIONER BIGGERS: Okay.

10 INMATE TYSON: But I never tried to escape. I never
11 tried to go anywhere.

12 PRESIDING COMMISSIONER BIGGERS: Well, they
13 dismissed the charge, so --

14 INMATE TYSON: Yes, they did.

15 PRESIDING COMMISSIONER BIGGERS: So undoubtedly they
16 felt that was wrong, but I just wanted to get your
17 clarification of that because that would've concerned me
18 if you didn't have any reason for how to do that. Okay,
19 is there anything that I missed on your social or your
20 priors that need to be brought out?

21 INMATE TYSON: Yes, sir.

22 PRESIDING COMMISSIONER BIGGERS: Did I miss
23 something?

24 INMATE TYSON: We were just talking about crime and
25 -- in Georgia.

26 PRESIDING COMMISSIONER BIGGERS: Right.

27 INMATE TYSON: And you had asked me about why I

1 didn't seek employment, you know, and as I said I just,
2 at the time, I didn't really want to learn a trade and I
3 really wasn't, you know, interested in trying to get any
4 type of skills. But I did want to lead a clean life, but
5 I just didn't have the skills but --

6 **PRESIDING COMMISSIONER BIGGERS:** You were a welder
7 in the Navy.

8 **INMATE TYSON:** Excuse me. Excuse me, Commissioner.
9 No, well, I was a welder in the Navy but I had to stop
10 welding because when you weld, you know, the soot, the
11 asphyxiate -- from the welding rods it would always -- it
12 would go into my lungs and I had to stop and -- but,
13 anyway, I didn't seek any type of skills when I was in
14 the -- in prison. My only thought when I was in prison
15 was trying to get out. That's all. I didn't, you know,
16 have any intentions of trying to learn any kind of skills
17 to get any type of education so that when once I got out
18 I could, you know, have a decent life.

19 **PRESIDING COMMISSIONER BIGGERS:** Uh-huh.

20 **INMATE TYSON:** You know, for myself. And that was -
21 - that was the main reason that when I came to California
22 I really couldn't find employment. You know, had I had
23 the skills and the training, I'm pretty sure I could've
24 found, you know, employment and a good education. I
25 didn't even have an education at the time.

26 **PRESIDING COMMISSIONER BIGGERS:** Okay. Well,
27 anything you can remember and I see you are taking some -

1 - advantage of some of the programs here. But as a
2 former military man -

3 **INMATE TYSON:** Yes, sir.

4 **PRESIDING COMMISSIONER BIGGERS:** -- whenever
5 somebody's discharged a lot of things are explained to
6 them as what's available for them once they get out.
7 It's just a matter of whether or not the person wants to
8 take advantage of --

9 **INMATE TYSON:** Yes, sir. You're right and at the
10 time I was discharged -

11 **PRESIDING COMMISSIONER BIGGERS:** You didn't want to
12 take advantage.

13 **INMATE TYSON:** -- I -- no, it -- in 1970 the only
14 thing was in -- cause most guys in the service, I'm
15 getting out of the war, I'm going home. And that -- I
16 basically had the same attitude as everyone else.

17 **PRESIDING COMMISSIONER BIGGERS:** Okay. That --
18 that's what I wanted to hear. You have any other
19 questions there, ma'am?

20 **DEPUTY COMMISSIONER BLONIEN:** I don't.

21 **PRESIDING COMMISSIONER BIGGERS:** Okay. I'm going to
22 ask the Deputy Commissioner to talk to you about your
23 post-conviction factors.

24 **DEPUTY COMMISSIONER BLONIEN:** Mr. Tyson, this is
25 your sixth subsequent hearing.

26 **INMATE TYSON:** Yes, ma'am.

27 **DEPUTY COMMISSIONER BLONIEN:** Have you read the

1 transcripts from your other hearings?

2 INMATE TYSON: Yes, ma'am, I have.

3 DEPUTY COMMISSIONER BLONIEN: And -- and did you
4 read them before you came in here to refresh your memory?

5 INMATE TYSON: Not last night. I think it was last
6 week.

7 DEPUTY COMMISSIONER BLONIEN: Okay.

8 INMATE TYSON: Some time last week.

9 DEPUTY COMMISSIONER BLONIEN: So it's my job to go
10 over what you've been doing in the institution since your
11 last hearing. And you came before the Board on November
12 30th of '05 and the hearing was postponed and a new psych
13 was ordered. And the psych was just completed on the 21st
14 of July. Did you get a copy of it?

15 INMATE TYSON: Yes, ma'am. I just got it yesterday.

16 DEPUTY COMMISSIONER BLONIEN: Did you read it?

17 INMATE TYSON: Yes, ma'am, I did. I read it. I was
18 not really pleased with it, but --

19 DEPUTY COMMISSIONER BLONIEN: And -- and we're going
20 to talk about it.

21 INMATE TYSON: All right.

22 DEPUTY COMMISSIONER BLONIEN: So I've read the psych
23 report and since then that was so new I went back and
24 read your -- your previous three or four psych reports.
25 I read everything in your -- your volumes of your C-File.
26 I read your counselor's report by Counselor Hilliard, H-
27 I-L-L-I-A-R-D. [alarm sound] And I'm going to change the

1 tape here.

2 [Thereupon, the tape was turned over.]

3 **DEPUTY COMMISSIONER BLONIEN:** Okay, we're back on
4 tape, side two. I read your counselor's report by
5 Counselor Hilliard, H-I-L-L-I-A-R-D. And then the new --
6 new psych report dated 7/21/06 by Michel, M-I-C-H-E-L,
7 Inaba, I-N-A-B-A. And I think the -- the first question
8 that -- that I had for you was I saw in your '01 hearing
9 you asked to be transferred to San Quentin so you could
10 complete your college and I don't see any college courses
11 that you've taken since you've been here.

12 **INMATE TYSON:** Well, the reason I haven't been in
13 college -- I -- I did go to college, but then I had so
14 many programs that I had to get in I -- I couldn't fit
15 them all in one. I -- college was every night. Monday,
16 Thursdays and Fridays, I had programs. There was no way
17 I could fit them in.

18 **DEPUTY COMMISSIONER BLONIEN:** And -- and what was
19 your goal in college?

20 **INMATE TYSON:** Just to -- just to finish.

21 **DEPUTY COMMISSIONER BLONIEN:** Just to finish?

22 **INMATE TYSON:** Yes, ma'am. Just to finish.

23 **DEPUTY COMMISSIONER BLONIEN:** Just to get piece of
24 paper?

25 **INMATE TYSON:** Well, I -- well, just -- just to get
26 the piece of paper, but I've never been the type of
27 person that could -- that would sit down and -- and --

1 and do things, you know, with thinking. I'm -- I'm
2 better with my hands building with trades, working with
3 wood, bricks, stuff -- I'm -- I -- I like doing labor
4 things.

5 **DEPUTY COMMISSIONER BLONIEN:** So I looked -- I
6 looked for your TABE score and I saw just a chrono where
7 you refused to take it. Did you take it at some point?

8 **INMATE TYSON:** Yes, I did. I did take it at -- I
9 did refuse and I -- the reason I refused --

10 **DEPUTY COMMISSIONER BLONIEN:** That's March 4th of
11 2003.

12 **INMATE TYSON:** Yes, I had -- I had told the
13 instructor that was giving the TABE test I said I have a
14 high school diploma and I presented it to the lady and
15 she said well, I don't care. I want you to take it
16 anyway over again. I said but I have a high school
17 diploma.

18 **DEPUTY COMMISSIONER BLONIEN:** Do you know why?
19 Because a lot of people have high school diplomas and
20 they can't read.

21 **INMATE TYSON:** Uh-huh.

22 **DEPUTY COMMISSIONER BLONIEN:** So we're under a
23 mandate by --

24 **INMATE TYSON:** I -- I know.

25 **DEPUTY COMMISSIONER BLONIEN:** -- the State --

26 **INMATE TYSON:** I know.

27 **DEPUTY COMMISSIONER BLONIEN:** -- that if inmates

1 can't read we owe them the opportunity to learn how to
2 read before we try to --

3 **INMATE TYSON:** Absolutely.

4 **DEPUTY COMMISSIONER BLONIEN:** -- give them trades
5 and all that.

6 **INMATE TYSON:** Yes, ma'am, I know and that was
7 explained to me and I -- and that was one of the reasons
8 that that law came out. The, you know, inmates were
9 forced to go to school if they didn't have a -- a -- a
10 score of like, I don't know, seven point -

11 **DEPUTY COMMISSIONER BLONIEN:** Six point zero.

12 **INMATE TYSON:** Six point zero, something like that.
13 But I had -- I took -- the first thing I did when I was
14 incarcerated in prison here at San Quentin, I asked for a
15 GED book and I read that GED book, I think it was about
16 20 times, over and over and over and that was the first
17 thing I did when I went to the mainline in Soledad was to
18 get my high school diploma. So that was the first thing
19 I did.

20 **DEPUTY COMMISSIONER BLONIEN:** Do you have a copy of
21 your GED?

22 **INMATE TYSON:** It's in -- in my -- it should be in
23 my file somewhere, but I -

24 **DEPUTY COMMISSIONER BLONIEN:** Did you do an Olson
25 Review and see it?

26 **INMATE TYSON:** Yes, ma'am. Oh, no, I did -- I did.
27 I did. I saw it in there. Matter of fact, Ms. Hilliard,

1 she showed it me the other day when I was just, you know,
2 cause she was doing -

3 **DEPUTY COMMISSIONER BLONIEN:** Yeah, it's --

4 **INMATE TYSON:** -- my report.

5 **DEPUTY COMMISSIONER BLONIEN:** -- it's -- it's in the
6 other volume of your C-File.

7 **INMATE TYSON:** And she couldn't find it and I had
8 to remind her that it was in and that she had labeled it.

9 **DEPUTY COMMISSIONER BLONIEN:** But I was trying to
10 stress with you the importance of reviewing your C-File
11 because --

12 **INMATE TYSON:** I know.

13 **DEPUTY COMMISSIONER BLONIEN:** -- maybe another
14 Deputy Commissioner wouldn't have gone to the other
15 volume.

16 **INMATE TYSON:** And let me say -- let me say
17 something about that, Commissioner. You know, my
18 counselors and them had told me that everything that's in
19 there is -- is a fact. That was the reason I didn't go
20 through my file and look -- there's no way I could change
21 it and if there was no way I could change it then I said
22 to myself I said what is the really the sense of looking
23 it when I can't change it.

24 **DEPUTY COMMISSIONER BLONIEN:** Well, that's -

25 **INMATE TYSON:** But I didn't know, you know, stuff
26 might have been added to my file.

27 **DEPUTY COMMISSIONER BLONIEN:** Yeah, and as someone

1 who has to read your C-Files, and I read maybe 20 a week,
2 you'd be amazed at how many other inmate's information
3 can be in your C-File and someone who's reviewing it
4 might not always just look at the bottom to see if that
5 is your 115.

6 **INMATE TYSON:** Absolutely right.

7 **DEPUTY COMMISSIONER BLONIEN:** They just may see
8 refused -- refusing to test and --

9 **INMATE TYSON:** Right.

10 **DEPUTY COMMISSIONER BLONIEN:** -- attribute it to you
11 cause it's in your C-File.

12 **INMATE TYSON:** Right.

13 **PRESIDING COMMISSIONER BIGGERS:** Excuse me, Deputy
14 Commissioner, one other thing. One thing that you said
15 may not necessarily be true. You indicated that you --
16 they told you everything was in your C-File -- that's in
17 your C-File that nothing could be added or --

18 **INMATE TYSON:** Well, I -- I didn't mean add. What I
19 mean was it was considered as fact.

20 **PRESIDING COMMISSIONER BIGGERS:** It is but there's
21 also things in there as she pointed out that you could
22 have removed if it's not pertinent to you.

23 **INMATE TYSON:** No, I can't have it --

24 **DEPUTY COMMISSIONER BLONIEN:** And has some --

25 **INMATE TYSON:** -- removed.

26 **DEPUTY COMMISSIONER BLONIEN:** As someone who knows
27 how to 602 well, like you know how to --

1 **PRESIDING COMMISSIONER BIGGERS:** That's all you got
2 to do is try to 602 it.

3 **DEPUTY COMMISSIONER BLONIEN:** You got to get a Panel
4 who's never been in a prison before to believe what you
5 say.

6 **INMATE TYSON:** Yes, I --

7 **DEPUTY COMMISSIONER BLONIEN:** And you've got to
8 think big.

9 **INMATE TYSON:** Well, I -- it seemed like when I --
10 when I write things down on paper I can -- they come out
11 right. But when I speak --

12 **DEPUTY COMMISSIONER BLONIEN:** Uh-huh.

13 **PRESIDING COMMISSIONER BIGGERS:** Okay, well, a 602
14 does in fact happen like -- in other words, don't say
15 that you can't get things removed from your -- from your
16 C-File.

17 **INMATE TYSON:** And, you know something,
18 Commissioner, you're absolutely right, because I just had
19 a -- a -- a 128 rescinded by -

20 **PRESIDING COMMISSIONER BIGGERS:** Hello.

21 **INMATE TYSON:** -- an officer -- I -- but now, you
22 know, I'm -- I'll tell you, I was out there I was working
23 and the officer said -- he said Tyson, do you need a
24 chrono, and I thought he was talking about I needed a
25 chrono -

26 **PRESIDING COMMISSIONER BIGGERS:** I understand that
27 but that's not the issue. The issue here is what you

1 said.

2 **INMATE TYSON:** That's what I'm saying, Officer
3 Commissioner. He asked me if I needed a chrono and I
4 said no, but I didn't know he was talking about
5 rescinding a chrono that he had wrote on me before, and I
6 said well, no, I don't need a chrono for working. I
7 thought he meant that, you know, to let my supervisor
8 know that I was working --

9 **PRESIDING COMMISSIONER BIGGERS:** Okay.

10 **INMATE TYSON:** -- with him.

11 **PRESIDING COMMISSIONER BIGGERS:** Right, that's what
12 I'm talking about.

13 **DEPUTY COMMISSIONER BLONNIEN:** Well, Mr. Tyson, the
14 reason this Panel's even taking any time with you is I
15 think we see some hope in you.

16 **INMATE TYSON:** Oh God.

17 **DEPUTY COMMISSIONER BLONNIEN:** And you -- you --
18 you're busy struggling --

19 **INMATE TYSON:** Oh, please stop. Please stop,
20 please. Oh God, thank you, thank you, thank you.

21 **PRESIDING COMMISSIONER BIGGERS:** But you don't have
22 any hope in yourself, sir.

23 **INMATE TYSON:** I know it. Thank you. Oh, God. Go
24 ahead, please. Go ahead.

25 **DEPUTY COMMISSIONER BLONNIEN:** And all of this
26 struggling that you're doing is not necessarily moving
27 you forward. So when I asked you if you read all your

1 transcripts from your last hearings, I asked you --

2 INMATE TYSON: Thank you.

3 DEPUTY COMMISSIONER BLONNIEN: -- because each
4 hearing's an opportunity to show your growth.

5 INMATE TYSON: Yes.

6 DEPUTY COMMISSIONER BLONNIEN: And not -- not fight
7 the war of past bad decisions, bad behavior.

8 INMATE TYSON: Yes, ma'am.

9 DEPUTY COMMISSIONER BLONNIEN: And that's why we're
10 taking some time with you.

11 INMATE TYSON: Thank you.

12 DEPUTY COMMISSIONER BLONNIEN: We don't -- we're not
13 verbal sparring with you.

14 INMATE TYSON: Thank you.

15 DEPUTY COMMISSIONER BLONNIEN: So getting back to
16 since you've been incarcerated, you've had three 115s,
17 the last one in 1993.

18 INMATE TYSON: Yes, ma'am.

19 DEPUTY COMMISSIONER BLONNIEN: You've had 20 128s,
20 the last one in 1998.

21 INMATE TYSON: Yes, ma'am.

22 DEPUTY COMMISSIONER BLONNIEN: And I think I would
23 attribute it to the fact that you were young and immature
24 for a long time.

25 INMATE TYSON: Yes, ma'am, I was.

26 DEPUTY COMMISSIONER BLONNIEN: Past your age, your
27 physical age.

1 INMATE TYSON: Yes.

2 DEPUTY COMMISSIONER BLONIE: In terms of working,
3 you are a worker. You've completed vocations in Auto
4 Painting, Dry Cleaning, Electric Technician --
5 Electronics Technician in --

6 INMATE TYSON: No, that's --

7 DEPUTY COMMISSIONER BLONIE: -- '04?

8 INMATE TYSON: Oh, God. Let me see. It's Certified
9 Customer Service --

10 DEPUTY COMMISSIONER BLONIE: Yeah, Customer
11 Service. I've got that but what's the Electronics,
12 what's that?

13 INMATE TYSON: That's -- that's -- that's the -- the
14 Customer Service.

15 DEPUTY COMMISSIONER BLONIE: And you work at PIA.

16 INMATE TYSON: Yes, ma'am, I do.

17 DEPUTY COMMISSIONER BLONIE: And your job is?

18 INMATE TYSON: Right now I work in the mattress
19 factory and I -- I make the covers for mattresses, but I
20 -- I can also build chairs. Matter of fact the chairs
21 that you're sitting here right now I have a certificate
22 in -- in -- in making those same chairs. A Proficiency
23 certificate. It should be in there.

24 DEPUTY COMMISSIONER BLONIE: I -- I've never fallen
25 out of one of these chairs either. They're -- they're
26 good. Good. "Congratulations. The Electronics
27 Technicians Association is pleased to announce that one

1 of your outstanding employees, Morgan Tyson, has
2 successfully completed examination in any hands-on skills
3 necessary to attain an ETA-1 Professional Customer
4 Service Specialist Certification." That's by Russell
5 Glass, President. So at PIA, what's -- what's your pay
6 number?

7 **INMATE TYSON:** I make 65 cents an hour.

8 **DEPUTY COMMISSIONER BLONIEN:** So you're getting
9 toward the top. So you're --

10 **INMATE TYSON:** Yes, ma'am.

11 **DEPUTY COMMISSIONER BLONIEN:** -- you're good.

12 **INMATE TYSON:** And right now I'm -- I'm -- I'm up
13 for a raise but there are also -- I think it's five other
14 people that are considered for the raise also.

15 **DEPUTY COMMISSIONER BLONIEN:** Right, and -- and only
16 so many get it.

17 **INMATE TYSON:** Yes, ma'am.

18 **DEPUTY COMMISSIONER BLONIEN:** There's a tiered
19 system. And in looking at your evaluation reports, you
20 know, they say you're a good worker. You're dependable.
21 You get two's and three's.

22 **INMATE TYSON:** Yes, ma'am.

23 **DEPUTY COMMISSIONER BLONIEN:** Satisfactory and above
24 average.

25 **INMATE TYSON:** Yeah, if I can -- if -- if -- I'm
26 sorry for me to say this. I think there are only three
27 people in my whole shop that can sew as well as me. I'm

1 not better and I'm not saying I sew better than them, but
2 only, let's see, well, there was three. No, it's two
3 now. Two. Matter of fact one went home.

4 **DEPUTY COMMISSIONER BLONIEN:** And do you have the
5 kind of supervisor who doesn't give out outstandings?

6 **INMATE TYSON:** I -- I -- I couldn't really tell you
7 that. I -- I don't know.

8 **DEPUTY COMMISSIONER BLONIEN:** But -

9 **INMATE TYSON:** I'm pretty sure she does because
10 inmate that went home yest -- yesterday, Ben Bong
11 (phonetic) --

12 **DEPUTY COMMISSIONER BLONIEN:** Oh, yeah. Yeah.

13 **INMATE TYSON:** He -- he -- he was really -- he was -
14 - matter of fact he told me how to use the overlock in
15 Soledad. He was the lead man in Soledad. And he -- he -
16 - he -- he knows --

17 **DEPUTY COMMISSIONER BLONIEN:** An overlock's a
18 stitching process?

19 **INMATE TYSON:** Yes, it is and he -- he knows how to
20 fix all the machines and everything.

21 **DEPUTY COMMISSIONER BLONIEN:** Well, in '03 you had
22 over 2500 hours of experience.

23 **INMATE TYSON:** Yes, ma'am.

24 **DEPUTY COMMISSIONER BLONIEN:** So it's only grown in
25 the -- the last three years. You also participate in the
26 Vietnam Veterans Group?

27 **INMATE TYSON:** Well, not anymore.

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1 DEPUTY COMMISSIONER BLONIEN: From '92 to '98.

2 INMATE TYSON: Yes, I did.

3 DEPUTY COMMISSIONER BLONIEN: And you don't
4 participate anymore because?

5 INMATE TYSON: They have a waiting list right now
6 and --

7 DEPUTY COMMISSIONER BLONIEN: I asked an inmate
8 earlier today how many people were in the group and he
9 thought about 40.

10 INMATE TYSON: I think it was -- yeah. About 40.
11 It's about 40 inmates in there.

12 DEPUTY COMMISSIONER BLONIEN: You've participated in
13 Narcotics Anonymous --

14 INMATE TYSON: Yes.

15 DEPUTY COMMISSIONER BLONIEN: -- '03, '04, '05.

16 INMATE TYSON: Yes.

17 DEPUTY COMMISSIONER BLONIEN: Your last chrono was
18 April of '06.

19 INMATE TYSON: Yes.

20 DEPUTY COMMISSIONER BLONIEN: Have you worked
21 through all the Steps?

22 INMATE TYSON: I -- I -- I've worked through them
23 during our classes. But trying to remember, now, I can
24 remember some of them. But trying to remember --

25 DEPUTY COMMISSIONER BLONIEN: If you can remember
26 interlock stitch, you can remember --

27 INMATE TYSON: Yes, I -- I can remember some.

1 DEPUTY COMMISSIONER BLONIEN: So --

2 INMATE TYSON: I can remember some.

3 DEPUTY COMMISSIONER BLONIEN: -- it's not so much
4 even remembering them..

5 INMATE TYSON: But not word-for-word.

6 DEPUTY COMMISSIONER BLONIEN: It's how you apply
7 them to your reality and how you plan to transfer them
8 as --

9 INMATE TYSON: Right.

10 DEPUTY COMMISSIONER BLONIEN: -- help in the
11 community.

12 INMATE TYSON: Right, and -- and -- and see, now, I
13 didn't understand that before and now I understand that
14 when you -- when you're using you have to apply them.
15 It's like I admitted that I was powerless over my drug
16 addiction and that my life was unmanageable and I was. I
17 was powerless over my drug addiction and my -- the drugs
18 were in control of me. And to ask God to remove all my
19 defaults. I think that's number -- number -- number 10.
20 No, no, no, that's --

21 DEPUTY COMMISSIONER BLONIEN: No.

22 INMATE TYSON: -- number --

23 DEPUTY COMMISSIONER BLONIEN: Don't get -- it
24 doesn't matter what number.

25 INMATE TYSON: Number 7. Number 7. And -- and I
26 had to use those things, you know, to help me to -- to
27 stop smoking and to stop using drugs.

1 **DEPUTY COMMISSIONER BLONIEN:** When's the last time
2 you used drugs?

3 **INMATE TYSON:** I think it was 1978, 1978 I stopped
4 using drugs. Oh, no, it was 19 -- December of 1977, I
5 had made a New Year's resolution to stop smoking and I
6 started in December because I said New Year's
7 resolutions, they don't work. They -- they never work.
8 I tried it once before and it never worked. I went back
9 to smoking so that's why I started in December. I said
10 I'll do this right now. There's no need to wait until
11 the New Year. And I haven't smoked a cigarette, I
12 haven't used any drugs since then.

13 **DEPUTY COMMISSIONER BLONIEN:** You also participate
14 in the Trust Program.

15 **INMATE TYSON:** Yes, I do.

16 **DEPUTY COMMISSIONER BLONIEN:** The Impact Program.

17 **INMATE TYSON:** Yes, ma'am.

18 **DEPUTY COMMISSIONER BLONIEN:** So tell me, you -- if
19 you work 4/10s, so you work four days a week ten hours a
20 day.

21 **INMATE TYSON:** I work overtime also. I work Fridays
22 or Saturdays whichever day is overtime. I worked this
23 Saturday overtime.

24 **DEPUTY COMMISSIONER BLONIEN:** Okay, and then what
25 night do you go to NA?

26 **INMATE TYSON:** Friday nights.

27 **DEPUTY COMMISSIONER BLONIEN:** Okay, and when do you

1 go to Trust?

2 INMATE TYSON: Thursday.

3 DEPUTY COMMISSIONER BLONIEEN: And when do you go to
4 Impact?

5 INMATE TYSON: Monday.

6 DEPUTY COMMISSIONER BLONIEEN: So what do you do
7 Tuesday and Wednesday?

8 INMATE TYSON: Well, I try to work out. I try to
9 study. I try to read a little bit. I, you know, I -- I
10 never liked reading, but I try to read because it's good.
11 It's, you know, my father always said it's good for me to
12 always just pick up something and read.

13 DEPUTY COMMISSIONER BLONIEEN: And what do you -

14 INMATE TYSON: And I try to read.

15 DEPUTY COMMISSIONER BLONIEEN: And what are you
16 reading?

17 INMATE TYSON: I read history books. I read
18 fiction. I read my Koran, mostly.

19 DEPUTY COMMISSIONER BLONIEEN: Okay. In either your
20 Trust or Impact groups, since your criminal history is
21 full of your inability to deal with women --

22 INMATE TYSON: Yes.

23 DEPUTY COMMISSIONER BLONIEEN: -- what are you doing
24 that allows you now to function and be able to deal with
25 women?

26 INMATE TYSON: You know, it was -- it was a time in
27 my life that I -- I didn't have a problem with women.

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1 It's just that I felt like if I said something to
2 somebody, you know, say hey, I like you and, you know,
3 maybe we could be friends or whatever when I was younger
4 and that, you know, they would like, you know, a lot of
5 people would say oh, I don't like you. And then I met my
6 wife. Now, she was the first person that I loved. I
7 loved her dearly. And she was my childhood sweetheart.

8 **DEPUTY COMMISSIONER BLONIE:** You were like 16?

9 **INMATE TYSON:** Yes. I was 15.

10 **DEPUTY COMMISSIONER BLONIE:** Fifteen.

11 **INMATE TYSON:** Yes, yes, I was. Well, anyway, you
12 know, I was young. And I knew then that I would marry
13 her in my life. We -- we loved each other. I -- I can't
14 deny that. And after our breakup, it was more like
15 rejection and it wasn't as much as I had a problem with
16 women as I had a problem with myself, because I didn't
17 use my ability to talk to people. I have never been a --
18 a person to speak out. Now, if I was to go back in my
19 building right now I could sit down with the people in my
20 building and talk to them. I can talk with staff, you
21 know, and -- and be comfortable because, you know, I've
22 been around them. It's just -- it's just hard, you know,
23 to walk up to someone and say hey, I like you, you know,
24 without the -- the fear of being rejected. And it really
25 hurts. You know, it just -- it just -- it hurts. It
26 really hurts.

27 **DEPUTY COMMISSIONER BLONIE:** So in order to cope